

THE COLUMBIAN UNIVERSITY.

---

PRESIDENT'S

ANNUAL REPORT

FOR THE

Year 1890-1891.

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WASHINGTON, D. C.

GIBSON BROS., PRINTERS AND BOOKBINDERS.

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*To the Honorable and Reverend the Overseers  
and Trustees of the Columbian University:*

I have the honor herewith to submit my report on the operations of the University in all its departments, during the scholastic year 1890-'91.

The year has been in many respects the most prosperous ever witnessed in the history of the University. The aggregate number of students in attendance has been 755, distributed as follows: in the Preparatory School, 95; in the Columbian College, 66; in the Corcoran Scientific School, 110; in the Medical School, 155; in the School of Dentistry, 17; in the Law School, 312.

I have nothing but commendation to report with regard to the administration of the Preparatory School under the conduct of its faithful Principal, Prof. MONTAGUE, and of his faithful assistants. The number of pupils is slightly less than during the last year, but not for any want of zeal in its corps of instructors.

The attendance in the College proper is larger than it has been at any time within the last twenty or twenty-five years. There has been an increase in the number of young women who have come to avail themselves of the instruction imparted by the College, and many of these young women are among the most meritorious of our students, attaining to a high rank—in some cases to the highest rank in their respective classes.

At the annual commencement on the 10th instant, six full graduates received the degree of Bachelor of Arts, one the degree of Bachelor of Science, and one the degree of Master of Arts.

No honorary degree has been conferred.

If it be remarked that the number of the College students, notwithstanding the accession made to their number, is still comparatively small, the explanation is easy. The number of the Professors enrolled in the College Faculty is small as compared with the

Faculties of great institutions like Princeton, Yale, and Harvard. However thorough may be the instruction imparted by our Faculty, and however energetic may be the zeal of its individual members, in multiplying themselves by covering a multiplicity of chairs at a great expenditure of time and labor, it is obvious that they must work at much disadvantage for the want of greater assistance in bearing the burden of their College duties. But this disadvantage, it is only just to say, bears heavily on the Professors rather than on the students. The number of hours devoted by each Professor every week to the actual tasks of the Lecture-room would bring astonishment to the members of larger Faculties in other institutions, among whom the work of the teachers is more widely distributed because of multiplied chairs resting on larger endowments.

The prosperity which attends the College is really remarkable when we consider the paucity of its Faculty; and this prosperity is due to two causes: the zeal which its members bring to their several classes, and the felicity of our position in the midst of a local population which greatly surpasses that of any other part of the country in the percentage of its Collegiate and University students. What the College accomplishes on the basis of its present most inadequate endowment is but an earnest and pledge of the greater things it could achieve if vested with larger resources. The wealth and the extent of the educational opportunities of Washington never fail to strike the attention of the intelligent observer as soon as he makes a study of them. A distinguished officer of the United States Army, who served for many years in this city on the staff of the late General SHERMAN—I refer to Col. J. E. TOURTELLOTT, of La Crosse, Wisconsin—had his attention called to this subject during his Washington residence by reason of the enlightened interest he takes in the cause of education, and though he now resides at a distance from us, he writes, as this report goes to the press, that he wishes to aid, during the coming scholastic year, at least one young man of limited means in his laudable ambition to secure a Collegiate education under the auspices of the University.

It is a great mistake to suppose that the work of any College under the demands made upon it by our modern civilization, and under the existing conditions of College competition in the United

States, can be made self-sustaining by virtue of the receipts from tuition fees alone. Tuition fees there should be as tokens of obligation, so to say, between the teacher who imparts instruction and the pupil who is able to make some return for what he receives; but in no College worthy of the name of a College will it be pretended that the tuition fee is anything like an adequate return for the benefits received by each student on the basis of the wealthy endowments which have been placed at the service of this living generation by the munificence of men who have seen in education the true source of national strength and glory. It is only a partial truth to say that Colleges are built to meet the popular demand for higher education. They increase and multiply such a demand in the very act of meeting it, so that the demand in a growing civilization will always be found to run beyond the supply, by calling for a constant increase and improvement in the latter.

For information concerning the Corcoran Scientific School, I respectfully refer you to the report of the Dean, Dr. EDWARD T. FRISTOE, as also to the report of the Committee of the Trustees charged with the special oversight of that Department. The difficulties which attend the administration of the School, for the want of more adequate endowments, are painfully understood by those who teach in it, and by those appointed to inspect its operations. I am very grateful to the Committee for the suggestions it makes, and your thanks are due to the Committee for the watchful care it has exercised over the School.

At the last Commencement three graduates received the degree of Civil Engineer, and two the degree of Bachelor of Science.

The Medical College was never before so flourishing. This prosperous state is entirely due to its learned and laborious Faculty. The School is literally their creation, for they bear all its burdens. They keep the standard of graduation high, and by so doing they have given to this branch of the University an honorable place among the Medical Schools of the country. The Lecture Halls of the School are already strained for the accommodation of the increasing number of the students, and threaten to be insufficient during the next year.

At the annual commencement in March twenty-four graduates received the degree of Doctor in Medicine, among whom two were women.

The School of Dentistry is small, but its instruction is thorough. Here, too, the learned Faculty are burden-bearers, who give their services to the University almost literally without money and without price. Such service as theirs has for its sole reward the consciousness of doing good, and the satisfaction of helping to pay the debt due to their learned profession by advancing its usefulness. At the Commencement in March last only two graduates were admitted to the degree of Doctor in Dental Surgery, because the honors of graduation from the School have been magnified by adding another year to the regular course of study, and by subjecting all candidates for degrees to more exacting tests than have been heretofore applied in similar institutions.

The Law School has reached its maximum development during the last scholastic year. It now ranks among the foremost Law Schools of the country in point of numbers, as before it stood at the head in the distinction and learning of its Professors. The chief duty of instruction in the elements of Law continues to devolve on Professors COX and MAURY, the senior Professors of the School. The Lectures of Mr. Justice HARLAN, of the U. S. Supreme Court, on the Constitutional Jurisprudence of the United States, continue to be most attractive as well as instructive, and he has enlarged his course during the last year by a supplementary series of Lectures on Public and Private International Law.

In order to meet the demand for a course of Lectures on the Law of Corporations—a demand justified alike by the necessities of modern law practice and by the increased development which corporate activity has received in our public economy and in our jurisprudence—the University was fortunate enough during the last year to receive the co-operation of Mr. Justice BREWER, of the U. S. Supreme Court.

In response to an invitation from the President of the University, authorized by the Committee of the Law School and approved by the Trustees, Mr. Justice BREWER kindly consented to deliver a course of ten lectures on the topic in question. The Lectures proved to be most stimulating, as well for the instruction given as for the admirable manner in which it was imparted. It is earnestly to be hoped that Mr. Justice BREWER may be induced to continue and to amplify his Lecture course during the next scholastic year.



The Lectures of Prof HENRY E. DAVIS, LL. M., on the History of Law, are of increasing interest and of growing value to the School. This gentleman brings to his Lecture course a high degree of scientific research into the Origins of the English Common Law. The value of such investigations into the sources of law and the light they throw on the true interpretation of law are now universally recognized.

Prof. WORTHINGTON's Lectures on Criminal Practice and Pleading have continued to excite a deep interest among our students, because of their intensely solid and practical nature.

As the Civil Law of Rome is the root and ground of the most universal jurisprudence of the world, and is therefore the fountain and source from which the jurisprudence of modern times is drawing perpetual inspiration by way of analogy or illustration, a course of Lectures on the Civil Law has long been a desideratum in our Law School. It seemed most natural to turn for such Lectures to the highest exponent of the Civil Law in the United States—that is, to the Hon. EDWARD EDMUND BERMUDEZ, LL. D., the Chief Justice of Louisiana. Accordingly, with the kind interposition of Mr. Justice HARLAN, I have opened a correspondence with Chief Justice BERMUDEZ on this subject, and he has kindly consented, if his official engagements shall permit, to deliver before our Law students at the next session a course of Lectures such as I have indicated. His presence among us will be gladly welcomed by the bench and bar of Washington as well as by the Faculty and students of our Law School.

With a single additional step our Law School could now place itself in the fore front of strictly *University* studies in Law. In vindication of such University studies, even for the help they lend to the study and practice of law in its subordinate departments, I need but cite the words of Lord Bacon: "No perfect discovery can be made," says Bacon, "on a flat or a level; neither is it possible to discover the more remote and deeper parts of any science if you stand but upon the level of the same science, and ascend not to a higher science." In still another part of his great work on the Advancement of Learning, he remarks that "if any man thinks philosophy and universality to be idle studies, he doth not consider that *all professions are thence served and supplied.*" It would be impossible to put the argument for *Uni-*

*versity* studies in a nut-shell more compact than this. There are no studies so practical as those by which the practice of an art is improved, and by which the boundaries of a science are enlarged; and such studies must needs be in "the more remote and deeper parts" of the science or art to which they relate. In the interest, therefore, of our under-graduate department of law I cannot place too high an estimate on what I conceive would be the value to it of such a School of Comparative Jurisprudence as was briefly sketched in outline in my last report.

That outline sketch has been submitted for criticism to many jurists and scholars in different parts of the country. They have given to the projected school their hearty approval. With one accord they agree that Washington should be its seat, for Washington is the seat of our National Legislature and of our Supreme Judiciary. Here, too, in the National Library, is the largest collection of law books in the country, and here it is that anthropological studies, ancillary to comparative jurisprudence, have their score of votaries in the Bureau of Ethnology, and in the U. S. National Museum.

I most respectfully invite your attention to a paper on the projected school, which has been published by the Committee on the Law Department, and which is now reproduced as an Appendix to this report.

The Annual Commencement of the Law School was held in the Academy of Music on the evening of the 9th instant. Seventy-eight graduates received the degree of Bachelor of Laws, and twenty-nine received the degree of Master of Laws. The Annual Address was delivered by the Hon. JOHN B. HENDERSON, LL. D., of Missouri. The prizes were awarded by the Hon. CHARLES C. NORTT, LL. D., of the U. S. Court of Claims.

The newly-appointed Registrar and Librarian, Mr. H. G. Hodgkins, A. B., has faithfully discharged the duties of his responsible post during the year.

As in former years, the Reading-Room has been well supplied with current reviews, periodicals, and newspapers from funds contributed by members of the Faculty, by Trustees of the University, and by other friends of the institution.

Courses of free Lectures in French, German, and English, open to the public, have been delivered during the year. The



Lecturers in German were Herr F. CLAUDY, and Prof. SCHÖNFELD, Ph. D., of the Corcoran Scientific School. Prof. OTIS T. MASON, Ph. D., delivered a course of most instructive lectures on the Natural History of Man. These lectures were followed by a systematic series on the evolution of the drama in Greece, Rome, France, Germany, and England. The participants in this course were Professors ROOME, MONTAGUE, LODGE, SCHÖNFELD, SHUTE, and the President of the University. Professor AVERY, Dr. A. F. A. KING, and Dr. HUNTINGTON took part in the course, lecturing on specific topics in history, science, or literature.

We are indebted to Prof. A. MELVILLE BELL for a learned lecture on "Visible Speech Elucidated," and your thanks are again due to Mr. GARDINER G. HUBBARD, LL. D., for interesting lectures delivered before our students on history, as illustrated by engravings.

The Alumni Association, under the direction of its energetic President, B. H. WARNER, Esq., a distinguished graduate of the Law School, and with the assistance of its faithful Secretary, Prof. H. L. HODGKINS, and of its Executive Committee, continues to take an increasing interest in the prosperity of the University. One hundred and twelve guests participated in the annual banquet held in April last.

The Alumni Association now carries more than five hundred active members on its roll. The correspondence of its Secretary, Prof. H. L. HODGKINS, reaches members in all parts of the Union. The Alumni statistics of the University are as follows :

	<i>Total.</i>	<i>Deceased.</i>
College .....	475	167
Medical School.....	609	109
Dental School.....	7	...
Scientific School.....	14	...
Law School : Bachelors.....	1,345	78
Law School : Masters.....	318	1
Total .....	2,768	355

The paucity of the graduates in the Dental and Scientific School is explained in part by their recent establishment.

As two hundred and eighty-three Masters of Laws had previously taken the degree of Bachelor of Laws in the Law School, it follows that the total number of individual Alumni is 2,485.

Our University Building continues to be more and more the chosen centre and seat of public meetings and exercises in the service of science, literature, and history. The annual celebrations of the great scientific societies of Washington are held in its public hall. In the month of December last the annual meeting of the American Economic Association, the annual meeting of the Geological Society of America, and the annual meeting of the American Historical Association were all held within our walls.

It is known to you that great development has been recently given by College and University teachers to the popularization of higher learning—to the “extension of University Teaching,” as it is technically called. This movement has for its object to bring the same missionary and propagandist zeal to the promotion of useful knowledge and the spread of culture which is brought in the field of religion to the diffusion of Christian truth, or in the field of politics to the dissemination of political ideas. It aims, in a word, to bring the University “home to the business and bosoms” of the people, by showing that all problems in thought, philosophy, and life are best discussed in the light of the highest learning of each living age. There is danger, of course, that such enterprises, if desultory or misdirected, may tend rather to sciolism than to public enlightenment or public culture; but for this very reason it would seem to be the duty of College and University men to keep in touch with a movement which depends for its chief value and usefulness on the weight and momentum of the solid intellectual forces which stand behind it. A Society for the Extension of University Teaching has been formed in this city, and it is hoped that this Society will begin its operations at the opening of the next scholastic year. All the Presidents of Colleges and Universities in Washington, the U. S. Commissioner of Education, the Superintendent of the Public Schools, with many other educators and friends of education in Washington, have been enlisted in this work. The academic Faculty of our University was the pioneer of this movement in Washington, and a lecture under the auspices of the Society, explanatory of University Extension in England, was delivered in our public Lecture Hall in December last, by Prof. R. G. MOULTON, of the University of Cambridge, England.

My thanks are again due to Prof. GORE for his efficient co-operation in the administration of our public lecture courses.

Prof. HOWARD L. HODGKINS, the Adjunct Professor of Mathematics, is performing an invaluable service to the University by compiling the materials which are to be used in the publication of an illustrated Historical Catalogue of all the graduates of the University since its foundation. No such catalogue has been published since 1876. The labor of the preparation has been very great. His industry in the matter has been as indefatigable as it is praiseworthy.

Prof. MONTAGUE, the accomplished Professor of Latin in our College, has made a valuable contribution to classical learning by the publication, during the last year, of a Selection from the Letters of Cicero. Prof. GORE has in press a new Text-book for instruction in the German tongue, especially for instruction in its scientific terminology. His earlier work on Geodesy was the first of its kind ever published in the United States, and he will soon publish a History of Geodesy. It will thus be seen that the University is contributing to the working forces of the higher education. Others of our Professors have the materials for similar works in their portfolios, but the daily routine and the multiplied labors of the class-room exhaust so much of their time and energy that but little strength is left for the tasks of original authorship. The hard-worked Professors of this University do not know much, from their own experience, about "the quiet and still air of delightful studies."

I regret to announce that the Rev. GEORGE DANA BOARDMAN, D.D., LL. D., in a communication addressed to me in the month of November last, tendered his resignation as a member of the Board of Overseers. This determination on his part does not imply any abatement of interest in the prosperity of the Columbian University, but we shall greatly miss his genial presence in our deliberations, to which he always brought a clear intelligence and a gracious affability.

It is made the duty of the President, in connection with each Annual Report on the operations of the University, to submit to the corporation any recommendations or suggestions he may have to make at each annual meeting. So far as these recommendations relate to mere matters of interior administration, or of minor business detail, they need not be recapitulated here. They call

for simple statement, and will be duly submitted for your consideration at your meeting on the 15th instant.

Passing from such specific recommendations to suggestions of a more general character, I beg leave respectfully to call your attention to that broader outlook of the University which is the supreme question of the hour in its history. It is to be feared that very few among those who count themselves the friends of the University, and who are its friends, have brought themselves to realize the full burden of the duty which rests upon us in the matter of its adequate endowment. Very few among the men who reside outside of Washington have any conception of the vast changes which have been wrought during the last twenty years in the National Capital, considered purely as a scientific, educational, and social centre. I have sought in every way in my power to publish the facts in the case, and to publish them where I had supposed they would make the strongest impression. A strong impression has also been made on the minds of many enlightened men by publications emanating from other pens in favor of the University, and of its better equipment. The evidences of this popular interest meet us in many directions—in the press, in educational convocations, in the letters of eminent educators; but these evidences have taken no organic form, and are embodied in no definite results.

With the steps that have been taken to bring the wants and the opportunities of the University to the notice and patronage of the American Baptist Education Society you are all familiar. We are grateful to the Society for the interest it has shown in our prosperity. It appointed a Committee with instructions to inquire into the surroundings of the University problem in Washington. That Committee comprised representative men in the Baptist denomination, for it consisted of the Rev. FRANK M. ELLIS, D. D., of Baltimore, the Rev. GEORGE DANA BOARDMAN, D. D., LL. D., of Philadelphia, the Rev. H. L. MOREHOUSE, D. D., of New York City, the Rev. A. C. OSBORN, D. D., of Albion, N. Y., and Prof. W. R. HARPER, Ph. D., of Yale University.

You already know that the Committee, in pursuance of its instructions, made a formal visit to Washington; inspected the appointments of our University building; verified some of the statements made concerning the educational facilities of the

National Capital, and, finally, joined unanimously in a report which recapitulated under fifteen distinct heads certain salient features of the University, in connection with what the Committee described as the "*unparalleled facilities*" of Washington for educational work of the highest grade. This report was submitted to the Board of Management of the Education Society at a special meeting in the city of New York, on the 2d of October, 1889. The report was then and there adopted, and, as a part of it, the following resolution was unanimously passed by the Board of Managers:

"*Resolved*, In view of the foregoing facts concerning an institution already established, and of the unparalleled facilities offered in Washington for university studies, under the guidance of Christian instructors, your Committee, confident in the belief that its recommendation will not interfere with other educational enterprises, unhesitatingly expresses the opinion that the effort of the Trustees and Overseers of Columbian University to secure an adequate endowment of the institution should be, and is, commended to the favorable consideration of the Denomination."

That resolution still stands as the declared policy of the Education Society, but the Society has not judged it expedient to institute any measures for active work or agitation in behalf of the University. The noble work the Society has done in other directions can but excite our admiration, without tending in the least to excite our envy. We rejoice in the work it has done.

But if the educational opportunities of the city of Washington are "*unparalleled*," as that Committee reports, *and as we all know*, then it is very certain that the full measure of *our* duty has not been met. For this no blame need attach to anybody, for all good things cannot be accomplished at the same instant; some of them must needs wait for the propitious moment. For myself, I can say that I have labored in this cause as I never labored before. My correspondence on the subject has been earnest as it has been wide, and I have sought to enforce my efforts by personal visits and solicitations in many quarters.

We do not need to be disheartened by any of the delays which have waited on these efforts. The fact that rival seats of learning are to be established in Washington should rather be a help than a hindrance to our just aspirations. No competition, however near or however fierce it may be, is fraught with serious

damage to the educational institution which knows how to make itself the best of its kind in any department. If we can make any department of our University *the best of its kind in Washington*, we need fear no rivalships in that direction. The status of our Law School among the rival Law Schools which its very prosperity has generated may be cited as proof in point of this observation. Doubtless there is no call for any further multiplication of "colleges" in Washington. But the establishment of schools for *University* education, properly so called, admits of indefinite multiplication. It is schools of this kind alone which are now newly projected in Washington. The fact that so many projects of this kind are now "in the air," and that they have their favorite *locale* in Washington, calls for your consideration. The educational world of the United States is but on the eve of a great development which is to be wrought in the sphere of *University* teaching and learning. The true place and function of graduate and advanced studies are destined to be more and more recognized in our system of general culture.

Now, it is quite impossible for any University of modern times to take all branches of the higher learning within its province and jurisdiction, much less to push forward the boundaries of all the sciences *pari passu* and simultaneously. The field is so vast that it must needs be occupied by different squadrons of the same *University* army, working to the same end (the increase and diffusion of knowledge), but working to that end in different branches of scientific inquiry. It is the function of the American *College* to ground its students in what Lord Bacon calls "the fundamental knowledges" which pertain to a liberal education. The *College* should seek to make "all-round men," to the end that "all-round men," at the close of their collegiate training, may intelligently and most successfully betake themselves to that field of labor or that branch of scientific study for which each shall have been best fitted by his training and by his discovered capabilities.

It is to be observed that the *Universities* of modern times—(I use the word *University* in its contemporaneous sense, without regard to its etymological origin)—are all moving on lines of specialized study, yet so moving as to keep their faces looking to the unity of human knowledge, by seeking as far as possible to unify and harmonize with each other the differentiated branches



of scientific inquiry. This differentiating of *University* studies is inevitable, for the differentiations of human knowledge, at what we may call its summit levels, are to-day too multitudinous and multiform to be grouped together in any single seat of learning, even if that seat of learning were dowered with all the revenues of all the Universities in the land. The Johns Hopkins University, with its munificent endowment, moves on but a few of the great meridian lines inscribed on the intellectual globe of the world. The Clark University, recently founded in Worcester, Massachusetts, has prescribed to itself a comparatively narrow curriculum, but this curriculum moves along the "summit levels" of our highest knowledge in a few branches, not for the purpose of resting on those summit levels, but for the purpose of raising up an *élite* class of scholars, who, in turn, may teach others how to reach these highest points of attainment in certain specialities. It is in this way that men are trained, as Milton phrases it, "not only to look backward and revise what has been taught heretofore, but to gain further, and to go on some new enlightened steps in the discovery of truth." "Teachers," says Bacon, (you will pardon me if I quote so often from the great expositor of the inductive method; I do so to show how ancient as well as how authoritative is the plea I am making)—"Teachers are not ordained for transitory uses, but for the progression of the sciences."

There is no danger at all that the work of *University* education in Washington will be pre-empted by rival institutions. Such a suggestion proceeds from an entire misconception concerning the real work of a modern UNIVERSITY (properly so called), and concerning the infinite extent of that human knowledge which lends itself to ever-widening schemes of study. Institutions of a low educational type must needs be essentially alike. Institutions of the highest educational type may each in its specialty be essentially diverse, for each cannot equally undertake to drive all the sciences abreast.

I believe that the special mission of the Columbian University lies in the direction of differentiated learning of the highest kind. We should keep, if possible, all its schools, academic, scientific, and professional, and we should seek to build them up until they shall be strong enough to receive at their apex the crown and

complement of *University* studies—that is, of *advanced* studies, of *graduate* studies, in some of the thousand subjects which now invite to original investigation. The present attitude of our Law School is a case in point. It has reached a development which makes the flower and fruitage of *University* studies in law nothing more than the natural outcome of its normal growth, now that it has reached its present commanding position among the Law Schools of the country.

I beg leave to close this communication with a few personal observations. Twenty years ago when I came to this University (then a College) I found it, for no fault of your predecessors or mine, in a very feeble state. One has but to compare the Catalogue of 1871 with the Catalogue of 1891 to observe the great progress that has been made. The following statistical table, prepared by Prof. HODGKINS, shows the student-attendance in each department of the University during the last twenty years:

	Law School.	Medical School.	College.	Preparatory School.	Scientific School.	Dental School.	Total.
1871-'2 .....	155	55	44	72			326
1872-'3 .....	103	48	40	75			266
1873-'4 .....	102	51	44	80			277
1874-'5 .....	95	49	49	96			289
1875-'6 .....	130	54	48	103			335
1876-'7 .....	107	44	44	89			284
1877-'8 .....	134	53	41	77			305
1878-'9 .....	155	55	46	77			333
1879-'80 .....	141	54	47	70			312
1880-'1 .....	181	43	39	80			343
1881-'2 .....	155	45	37	64			301
1882-'3 .....	180	72	40	63			355
1883-'4 .....	189	78	39	72			378
1884-'5 .....	179	86	49	91	26		531
1885-'6 .....	186	102	34	102	71		495
1886-'7 .....	188	97	29	89	78		481
1887-'8 .....	206	116	36	85	84	16	543
1888-'9 .....	202	122	44	80	82	14	544
1889-'90 .....	210	128	55	97	109	11	610
1890-'1 .....	312	155	66	95	110	17	755
Average for 20 yrs.. Increase above aver- age during 1890-'1	165 147	75 80	44 22	83 12	(for 7 yrs.) 94 16	(for 4 yrs.) 15 2	403 352

The number of the Faculty (in all departments) in 1871 was twenty-five. The number to-day (in all departments) is fifty-six, without counting more than once several Professors who teach in more than one department.

And to what is this progress due? *Simply to the quickening effect of the Corcoran Endowment Fund.* That fund is small, but it gave to the institution the first solid foundation it ever had. The work performed by the University to-day on the basis of this very inadequate endowment—the annual income from which barely covers the running expenses of the executive administration of the University—serves to show the greater things that could be accomplished on a larger endowment.

And how was the Corcoran Endowment raised? By a generous proffer coming in the first place from Mr. Corcoran, *and then by a zealous effort on the part of the friends of the University to do something for the advancement of the institution.* No institution in the country has friends more ardent or more sanguine in the faith they attach to its possibilities. But since the Corcoran endowment was secured and the Powell bequest was made, no great benefaction has come to increase our revenues. The revenues that we have are worked to their highest point of tension, and that, too, with a constant solicitude on your part lest we may not succeed at the close of each fiscal year in “making both ends meet.”

It is evident that we must give to our solitudes a new direction. We must commence at once some sort of an effort which shall have for its object the adequate endowment of the University in some sphere of its work, whether it be the College, the Medical School, the Law School, the School of Science, or whether it be such an addition to its general funds as shall give some relief to members of more than one of our Faculties who are now suffering alike from overwork and from under-pay.

I beg leave to be indulged in a few words entirely personal. Under the ancient traditions of the College Department, the President has been charged with the duty of instruction in Psychology and Moral Science. But, besides these chairs, I have for many years occupied—(it would be absurd to suppose that I have filled)—the chairs of History, of Natural Theology, of Politi-

cal Economy, of Constitutional Law, and of International Law. These duties were assumed to fill a "temporary gap" created by the death of Dr. RUGGLES. They form no part of my duties as President of the University, and have never been devolved on any one of my predecessors. It was thought quite enough that other Presidents should teach Psychology and Moral Science, in addition to the cares of the executive administration. And this arrangement obtained at a time when the institution was comparatively simple in structure and function. It is to-day quite complex in both. The cares of administration are great enough to tax my time and labor.

I am approaching the end of my academic service, even if I should live out the appointed span of human life, which is very doubtful. Like others of my colleagues, I have some manuscript in my portfolio which I wish to prepare for publication. To do so I must have some leisure, and I naturally seek to find it first of all in relief from duties voluntarily assumed many years ago, but which form no legitimate part of my obligations as President of the University.

All which is respectfully submitted.

JAMES C. WELLING.

THE COLUMBIAN UNIVERSITY,  
*Washington, June 10, 1891.*

## APPENDIX.

### REPORT OF THE COMMITTEE ON THE CORCORAN SCHOOL OF THE COLUMBIAN UNIVERSITY, JUNE 3, 1891.

*Approved by the Board of Trustees and referred to the Corporation.*

Your Committee have examined the resources and condition of the Corcoran School and beg leave to make the following report:

We find the rooms set apart for scientific instruction to be commodious enough to accommodate twice the number of students now attending. They are in a very uninviting condition, however, and are not at all fitted up to meet the demands of present-day teaching.

Your Committee find, also, that the Corcoran School is administered almost independently of the Faculty of Arts.

We therefore recommend:

1. That the Corcoran School be more closely united with the Faculty of Arts.

2. That the most strenuous effort be made at once to increase the efficiency of scientific instruction in the University by increasing the endowment fund.

3. That a system of beneficence be perfected by which immediate relief may be brought to the part of the institution under our immediate trust.

We recommend that some such scheme as the following be adopted:

1. That scholarships be rated at two thousand dollars each, and that the friends of the University be invited to found one or more of these.

2. That fellowships and lectureships be rated at ten thousand dollars each, the proceeds of the funds to be devoted to endowing courses of lectures or to paying the expenses of meritorious students.

3. That professorships be rated at eighty thousand dollars, and full "schools" or "seminaries" at two hundred thousand dollars, the income to be devoted to the support of a professor or a school in accordance with the present organization of the Faculty of Arts.

Your Committee recommend that the immediate and earnest attention of the Corporation be called to this subject. The Committee are in possession of information with reference to educational movements in our city which convince them that the University will neglect scientific instruction to its serious detriment.

There are certain lines of such work for which our city furnishes unparalleled advantages and facilities, and we should be delighted to see a movement made by the Corporation to meet these requirements at once. We therefore recommend that the proper committee be instructed to devise means immediately to supply the demand indicated.

We have the honor to be, &c.,

E. M. GALLAUDET,  
G. BROWN GOODE,  
O. T. MASON.

#### THE CORCORAN SCIENTIFIC SCHOOL.

Lectures and Laboratory courses in this School have been as follows. The lectures are held after 6 o'clock P. M.:

Number of students enrolled, 110.

English.—Prof. Shute : Three classes. Number of lectures per week, 8 ; number of students attending, 25.

Mathematics.—Prof. Hodgkins : Three classes. Number of lectures per week, 10 ; number of students attending, 45.

Engineering.—Prof. Fava : Number of classes, 3 ; number of lectures per week, 13 ; number of hours designing, 21 ; number of students attending, 11.

German.—Prof. Schönfeld : Number of classes, 3 ; number of hours, 6 ; number of students, 10.

Drawing.—Prof. Wansleben : Number of classes, 3 ; number of hours per class, 2 ; number of students, 30.

Physics.—Prof. Prentiss : Number of classes, 1 ; number of hours, 2 ; number of students, 12.

Mineralogy.—Prof. Yeates : Number of classes, 2 ; number of lectures per week, 2 ; number of hours in laboratory, 1st year, 8 ; number of hours in laboratory, 2d year, 8 ; number of students in classes, 11.

Geology.—Prof. Yeates : Number of classes, 1 ; number of hours, 2 ; number of students, 6.

French.—Prof. Lodge : Number of classes, 3 ; number of hours per week, 6 ; number of students, 12.

Psychology.—Prof. Lodge : Number of classes, 1 ; number of hours, 2 ; number of students, 6.

Chemistry.—Prof. Fristoe : Number of classes, 3 ; number of students in general chemistry, 33 ; number of students in laboratory, 16 ; number of hours per week in general chemistry, 3 ; number of hours per week in qualitative analysis, 15-18 ; number of classes per week in quantitative analysis, 15-18.

Most respectfully,

E. T. FRISTOE, *Dean.*



# The Columbian University,

WASHINGTON.

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## SCHOOL OF COMPARATIVE JURISPRUDENCE.

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It is proposed by the authorities of the Columbian University to establish a "School of Comparative Jurisprudence" in connection with their Law School. An outline sketch of such a school was submitted by Dr. WELLING, the President of the University, in his last Annual Report. That outline sketch was as follows :

It is high time that our Law School, admitted to be among the first in the land, should begin to bear the flower and fruit of University studies, in the full and true sense of those words. We were the first to establish a School of Practice. Let us now be the first to establish a School of Jurisprudence, in which the law of the civilized world shall be taught as a history and as a philosophy, from the first rude germs of the clan stage of human government up to the highest evolutions of that international law which to-day sits supreme above all politics and all conventions of men, and which, by its moral sovereignty, is perpetually moving forward the boundaries of truth and righteousness in the relations of States. In such a School the codes of particular nations would pass under review only so far as they marked the successive stages of human progress, and only so far as each has contributed its rays to what Lord Coke calls "the gladsome light of jurisprudence." The Civil Law of Rome, for instance, would be taught in its origin under the early kings ; in its progress from the kings to the 12 Tables ; from the 12 Tables to Augustus ; from Augustus to Constantine ; from Constantine to Justinian, and from Justinian to the present time. But it would be expounded as a philosophy teaching by example, and not as a barren erudition or as a branch of curious and antiquarian learning. In such a School we should not be called to do over again the uncritical work of Heineccius and Gravina, even for the sake of tracking Gibbon to the insufficient sources from which he drew the materials for his remarkable Chapter on the Civil Law. In such a School the Common Law of England would be studied in its primitive sources—the sources which, in giving to it color and direction, have determined for us its true significance and its true interpretation. If

so simple a story as the Parable of the Prodigal Son is found to contain four distinct references to the sociology of primitive times, it need not surprise us that the codes of the world should swarm with survivals from the early stages of primeval law. Anthropological science, by its comparative method, is transforming the explication of primitive law, and, therefore, is transforming the history of law as an evolution of the human race. And in such a School the international law of the civilized world would be taught, not only as a body of doctrine and of acquired facts, but pre-eminently as a spirit working for righteousness in the intercourse of nations, and, therefore, working above and beyond the boundaries already reached by the foremost nations of Christendom. That is, the science of jurisprudence would become prophetic of the next things to be hoped for and labored for in legislation and in international law, because it would mark the points of the curve through which the nations are moving to-day. An association of learned jurists, composing the "Institute of International Law and of Comparative Legislation" is working on these lines at the present time. It is the singular glory of our Law School that it has counted among its former Professors two illustrious jurisconsults who, while living, were members of this Institute. I refer to the late WILLIAM BEACH LAWRENCE, LL. D., and the late FRANCIS WHARTON, LL. D. These great publicists expounded the rules of law along the lines of reason and of philosophy, and hence it was that they made their lectures, even in the undergraduate course, an inspiration to all that is highest and best in the expanding realm of civil jurisprudence.

This outline sketch was submitted for criticism to HANNIS TAYLOR, Esq., of Mobile, Ala., the learned author of that important work, "The Origin and Growth of the English Constitution," as it was known that Mr. TAYLOR has for many years made a special study of comparative social institutions considered in their relation to "Comparative Law." His comment is as follows:

DEAR DOCTOR WELLING: Nothing could appeal more strongly to my fancy than your ideal of a School of Comparative Jurisprudence, established, as it should be, at the National Capital.

As to the plan, if I should attempt to organize such a school I should begin by making the comparative method the basis of my entire system. I would then let the lectures begin: *First*. With an outline of the science of comparative philology, in which the student would have laid before him the process through which the kinship of the Aryan nations has been established by tracing the roots common to all the Aryan tongues back to a common source. This preliminary discourse might well be followed up by another on comparative mythology. *Second*. With the way thus cleared before him, the student would be prepared to understand how this process of thought naturally led, at the next step, to the establishment of the science of comparative jurisprudence, whose position should be explained in its relations to the legal thought of modern times. *Third*. Under the general

title of "comparative jurisprudence" I would embrace two subjects entirely distinct, and yet so related that they should not be severed from each other in anything like such a general survey as you have in view. My first subject I would entitle comparative politics, the study of political institutions, of forms of government—the State. Beginning with the history and structure of the village community, I would pursue it from Ireland to Hindoostan. I would then explain how, out of units of this class, the state of the ancient world—the city commonwealth—was evolved, dwelling here, of course, upon the phases of difference which appear in the city commonwealth in the Greek and the Roman world. I would next examine the settling down of the Teutonic nations on Roman soil, in order to illustrate how, with the village community as the unit of organization, the Teutonic peoples gathered not into city commonwealths but into nations, out of whose permanent settlements has grown the new conception of the State—the State of modern international law. I would here pause to emphasize the fact that as the world has given birth to but two great distinctive systems of jurisprudence, so it has given birth but to two distinct conceptions of the State. I would then take a bird's-eye view of the constitutions of all of the greatest of the modern States, embracing the constitutional systems of England, France, Germany, Austria-Hungary, Italy, and the United States. Under the head of England I would include an outline of her relations to her colonial empire, dwelling at length upon the federal system existing in Canada, which is full of interest to the American student of constitutional law.

Having completed this view of the constitutional systems of the great modern States, I would go back to the beginning in order to take up the second division of my general subject, which I would limit to the comparative study of the two great systems of jurisprudence which govern the internal relations of them all. Beginning with the Roman law I would trace its historic growth as you have indicated; next, the growth of the English common law after the same manner. In this way the student would form a more or less perfect idea of the comparative growth of the two great systems of law which prevail in the leading States of the modern world. And in this connection I would construct for him a map indicating the countries in which each system is the basis of judicial administration. I would also attempt to explain, as clearly as practicable, the extent to which English jurisprudence has been enriched from Roman (canonical and imperial) sources.

Hoping you every success with your new School of Comparative Jurisprudence, I am, very faithfully yours,

HANNIS TAYLOR.

As Prof. HENRY E. DAVIS, LL. M., the accomplished lecturer on the History of Law in the Law School of the University, is known to be deeply interested in anthropological and institutional studies so far as they bear on the evolution of law in England and else-

where, his advice and direction were sought in the premises. His reply is as follows :

MY DEAR DR. WELLING : I have carefully read that portion of your last report which relates to the proposed School of Comparative Jurisprudence in the University.

I cordially concur in your proposition for the foundation of such a school, and very briefly my idea of the work of such a school is this : I would follow a line of work, in substance, identical with the thought which underlies my lectures on the history of law. I would call in the aid of anthropology (to which philology is only the hand-maid) with the main purpose of locating the law-begetting peoples—that is, the begetters of law, as we understand the word—and of finding, if possible, their genius—that which made them, in contradistinction to their fellow human beings, law-begetters. This would of necessity involve a survey of the early historical peoples, and especially the fullest investigation of the Aryans.

I would then contrast the historical peoples, and show as far as possible the legal conceptions of each ; following these to their culmination in the respective institutions and codes of these peoples.

Here we should come upon a water-shed, as it were, in the development of jurisprudence ; on one side finding the waters of constitutional law, and on the other those of what we call, for want of a better word, substantive law. I would then carefully unfold the several institutions appearing in man's history, beginning with an exposition of the germs of each, and aligning those institutions, as far as possible, with reference to their sources and existence among various peoples. This would lead us to the first definite field of the work—the comparative study of institutions.

Side by side with this, we would have another field, the comparative study of the substantive law of the same peoples. It would, perhaps, be no easy task to delimit these two fields, institutions and substantive law, until we get well along in history ; but it would be my purpose to run the delimitation as far back in time as possible.

Assuming now that we should have emerged into the domain of history so that we might view the various systems of institutions and law, my purpose would next be thoroughly to study each of these systems, to keep constantly in sight the origins, streams, and characters of each, and to see at what points the several streams converged, and the resultant fluids. Where there was no convergence, I would follow each stream until I could fully describe them all, pointing out their resemblances and differences, and seeking to extract from the whole something of what we call the philosophy of law.

By this process every system of institutions, every code of law, and every historical effect of the several systems and codes would be unfolded, and the student would stand face to face with the "universal brotherhood," from a legal point of view.

Of course, to do this would involve work for which it may be said the way has hardly yet been cleared ; but the recent investigations, of which you and

I have so often talked, have gone far towards pointing to the way. It is my belief, perhaps over enthusiastic, that the next few years will see much done in the way of actual clearing.

As to books: It seems to me that all the books dealing with the general subject would require to be laid under contribution. Not that I would follow implicitly or to the full the line of any one of them; but they would all be necessary, as works of reference at least.

If such a work as suggests itself to me could be properly and adequately done, the clan, the horde, the village community, the family, the early commonwealths, and, in short, every form of human association, would receive its proper exposition and consideration. Every code of laws, as well as every form of human institutions, would be brought under review. The greatest of all the fabrics, the Roman law, would of course receive full attention, and the English common law, in its sources and its content, would fare equally well. Moreover, the children of these systems, whether to be found in the continental Pandects, the Code Napoleon, International Law, or the English Colonial systems, would be expounded and enlightened, historical tracing going hand in hand with exposition.

Thus hastily I give you my views. To say that I should cheerfully and enthusiastically add my little in aid of such a work would be superfluous. You know my views and you know my tastes. I regret that time forbids me from going more fully into this subject, upon which I am only too prone to dwell at length; but I think I have laid before you enough to possess you of my position with reference to your suggestion.

By all means bring about your purpose if you can, and always count upon my hearty co-operation.

Very truly yours,

HENRY E. DAVIS.

The outline sketch of the proposed school has also been submitted to the Hon. WILLIAM T. HARRIS, LL. D., the U. S. Commissioner of Education; to the Hon. ANDREW D. WHITE, LL. D., Ex-President of Cornell University; to the Hon. GEO. F. EDMUNDS, LL. D., and to many others, all of whom cordially commend the proposed enterprise. We append the letters of the three gentlemen who are named:

MY DEAR DOCTOR WELLING: Your letter, together with a copy of your Annual Report, is received. I have read with great interest your remarks on pages 13, 14, and 15 in regard to School of Comparative Jurisprudence. The suggestion is a very happy one, and I trust it will be carried out, for it would seem that Washington is the very place for such a school. The well-earned distinction of the Law School of the Columbian University would be enhanced by the addition of such a school. Your remarks setting forth the needs for a school of Comparative Jurisprudence are very convincing. The lawyers' profession has been one of the great means of giving the necessary

tone of conservatism to our institutions, which, being democratic, are liable to be wavering and uncertain or inconsistent in their procedure. Now that social science is so much studied in our land and its theoretical questions have become the theme of the novel-writers, we all see how necessary it is to have a school of educated lawyers who know the theory of the development of institutions—of lawyers like Sir Henry Maine, for example.

When the leaders of public opinion in the matters of law are as thoroughly read in the historical development of institutions as our scientific men are familiar with the position of a given animal in the scale of biological evolution, such a book as Mr. Edward Bellamy's "Looking Backward" would be impossible, or if still possible as a work of fiction, certainly the formation of a society of "Nationalists" for the purpose of bringing back again the primitive status of socialism would be impossible.

Very sincerely yours,

W. T. HARRIS,  
*Commissioner of Education.*

FEBRUARY 12, 1891.

MY DEAR DR. WELLING: Returning to Ithaca after my long absence, I get my first chance to calmly examine the papers you so kindly sent regarding the School of Comparative Jurisprudence. Your plan is admirable, and delights me, especially since it is the realization of an old dream of mine. Ever since I heard some of the lectures of Laboulaye at the Collège de France, he holding as you remember the Professorship of Comparative Legislation, I have felt that such a department might be made of immense value in this country. No nation in the world presents such a field for it. And on the reason for this—the varied legislation of all our commonwealths—I certainly need not expatiate to you, who understand it so much better than I can do.

With renewed thanks, I remain, very sincerely yours,

A. D. WHITE.

MY DEAR DR. WELLING: I can only answer you very briefly. I think a School of Comparative Jurisprudence, such as you mention, would be of very great value to advanced students and to a great many of those who have already been admitted to the bar, for I expect it is a field that very few of the practising brethren have explored.

Yours very truly,

GEO. F. EDMUNDS.

It will be seen that the studies comprised in such a School would come strictly within the scope of "University studies" in law, and would aim to prepare students for the higher walks of the legal profession, for statesmanship, and for political philosophy. Upon the value of such advanced studies as a means



alike of culture and of professional eminence, we submit the following observation of Dr. FRANCIS L. PATTON, the President of Princeton College :

I know that the man who understands the history of jurisprudence, who knows something about the Pandects, or has looked into Gaius and Ulpian ; the man who has read Austin and Amos, and Holland and Maine, and Pollock and Lorimer, to say nothing of Savigny and Stahl, will go to the study of Coke and Blackstone, Story and Greenleaf, Washburn and Parsons a broader man, and that he will be a better jurist, if not a better advocate.

It is proposed by the authorities of the Columbian University to establish a School of Comparative Jurisprudence, as a fourth year's course in the Law School, so soon as an adequate endowment shall be received. The studies of the School will be the crown and complement of the undergraduate and graduate studies already pursued under the conduct of the Law Faculty of the University. That Faculty is as follows :

JAMES C. WELLING, LL. D.,  
PRESIDENT.

THE HON. JOHN M. HARLAN, LL. D.,  
(ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES),  
Professor of Constitutional Jurisprudence, and of Public and Private International Law.

THE HON. WALTER S. COX, LL. D.,  
(ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE DISTRICT OF COLUMBIA),  
Professor of the Law of Real and Personal Property, of Contracts, and of Crimes and Misdemeanors.

THE HON. WILLIAM A. MAURY, LL. D.,  
(ASSISTANT ATTORNEY-GENERAL OF THE UNITED STATES),  
Professor of Equity Jurisprudence, of Common Law and Equity Pleading, and of the Law of Evidence.

THE HON. DAVID J. BREWER, LL. D.,  
(ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES),  
Lecturer on the Law of Corporations.

THE HON. AUGUSTUS S. WORTHINGTON, LL. B.,  
(SOMETIME DISTRICT ATTORNEY OF THE UNITED STATES),  
Professor of Criminal Pleading and Practice.

WILLIAM F. MATTINGLY, A. M.,  
Lecturer on Practical Commercial Law.

HENRY E. DAVIS, A. M., LL. M.,  
(SOMETIME ASSISTANT ATTORNEY OF THE DISTRICT OF COLUMBIA),  
Associate Professor of Practice, Judge of Moot Court, and Lecturer on the History of English and American Law.

THE HON. EDWARD EDMUND BERMUDEZ, LL. D.,  
(CHIEF-JUSTICE OF LOUISIANA),  
Lecturer on the Civil Law.

ROBERT C. FOX, LL. D.,  
Treasurer.

It is estimated that the annual income from \$150,000 would be sufficient to lay the foundation of the proposed School ; the principal to be kept forever intact, and the income alone from the fund to be used. With the revenues of the University already on hand, it would be possible to begin the operations of the School on an endowment of \$100,000.

WILLIAM F. MATTINGLY,  
GARDINER G. HUBBARD,  
THEODORE W. NOYES,  
*Committee of Board of Trustees.*

WASHINGTON, *April 4*, 1891.